

**IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF ILLINOIS**

United States,)	
Plaintiff,)	
)	
v.)	Case No. 10 CR 673-2
)	
Brandon Richards,)	Judge: Kennelly
Defendant.)	

ORDER

The Court denies defendant Brandon Richards's motion for a reduction of his sentence [dkt. no. 930]. Mr. Richards pled guilty to a narcotics charge. Under the Sentencing Guidelines, his criminal history category was I and his total offense level was 38, resulting in an advisory sentencing range of 235 to 293 months imprisonment. The Court imposed a sentence of 184 months, well below the low end of the advisory range. Recent amendments to the Sentencing Guidelines, which the Sentencing Commission made retroactive, reduce Mr. Richards's total offense level to 36, resulting in an advisory range of 188 to 235 months. Mr. Richards's current sentence of 184 months, however, is already below the low end of that range. A policy statement by the Sentencing Commission states that except in circumstances that do not apply in Mr. Richards's case, a court may not reduce a sentence below the low end of the revised guideline range. See U.S.S.G. § 1B1.10(b)(2). This policy, statement, which is binding on the Court, see *Dillon v. United States*, 560 U.S. 817, 826 (2010), bars a reduction of Mr. Richards's sentence.



MATTHEW F. KENNELLY
United States District Judge

Date: 1/20/2016